

**VERNON TOWN COUNCIL
REGULAR MEETING
TOWN HALL 3RD FLOOR, COUNCIL CHAMBERS
14 PARK PLACE
TUESDAY, OCTOBER 21, 2008
7:30 P.M.**

A) PLEDGE OF ALLEGIANCE:

ROLL CALL:

Present: Daniel Anderson, Bill Campbell, Daniel Champagne, Mark Etre, Bill Fox, Nancy Herold, Brian Motola, Pauline Schaefer, Harry Thomas, Michael Winkler

Absent: Marie Herbst

Entered During Meeting:

Also Present: Mayor Jason L. McCoy, Interim Town Administrator John Ward, Recording Secretary Jill Kentfield

Mayor McCoy requested the swearing in of Mr. Sean O'Shea as the new Town Council Member moved up on the agenda.

Request that the Town Council approve the Vernon Republican Town Committee's nomination of Sean O'Shea, (R) 40 Donnell Road, Vernon, Connecticut as Town Council member to replace the seat recently vacated by Diane Wheelock, Town Council member. (A copy of a letter of recommendation by the Vernon Republican Town Committee, dated October 14, 2008, and a copy of Mr. O'Shea's resume are included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE VERNON REPUBLICAN TOWN COMMITTEE'S NOMINATION OF SEAN O'SHEA, 40 DONNELL ROAD, VERNON, CONNECTICUT AS TOWN COUNCIL MEMBER FOR A TERM EFFECTIVE OCTOBER 21, 2008 AND EXPIRING NOVEMBER 8, 2009.

Council Member Thomas, seconded by Council Member Etre made a motion to approve the appointment of Sean O'Shea as Town Council Member or a term effective October 21, 2008 and expiring November 8, 2009. Motion carried unanimously.

CITIZEN'S FORUM:

Pauline Schaefer: Due to the fact Council Member Herbst is unable to attend this meeting because of a death in the family, Ms. Schaefer requested the postponement of the new business #4 discussion regarding the Vernon Center Heights Neighborhood Petition. Council Members agreed to postpone until the next meeting.

Lance Chernack, 15 Cubles Dr.: Expressed his interest in being re-nominated to the Planning and Zoning Commission when his term expires at the end of this year.

Amarjit Buttar, 78 Kent Dr.: Spoke about a Hartford Courant article regarding the abolishment of Nuclear Weapons. 2,317 Mayors Nationwide including the mayors of Ansonia, Fairfield, Hartford, Mansfield, New Haven, Stamford and Windham joined the "Mayors for Peace campaign to abolish nuclear weapons." Mr. Buttar requested the town of Vernon mayor join those mayors.

Karl Prew, 135 Grier Rd.: Offered congratulations to Council Member O'Shea. He spoke in support of Mr. Chernack's re-nomination to the Planning and Zoning Commission.

Citizens forum closed (7:40 PM)**B) PUBLIC HEARING:**

None

C) PRESENTATION:

1. Presentation of Mayoral Proclamation to the Bicentennial Committee.
Members of the Bicentennial Committee came forward to receive a thank you proclamation presented by Mayor McCoy. Mayor McCoy thanked them for their efforts that went in to making the Bicentennial celebration activities a success. Mr. Rossmly spoke about the Bicentennial Committee Board of Directors, various committees and highlighted the different events. He thanked everyone for their participation. He also encouraged everyone to attend the final Bicentennial event, which is a dance, taking place on October 25, 2008 at the Rockville Elks club. Interested parties can contact the Mayor's office for information regarding the tickets.

RECESS (7:55 PM) to celebrate the Bicentennial

Meeting came back to order (8:15 PM)

2. Update from Rockville Downtown Association on the progress of the Economic Development Committee. (Materials to be distributed at meeting)

Randy Anagnostis and Robert Kleinhans presented information regarding the latest information about interested developers in the Rockville Downtown revitalization project. They also gave a brief history for new members of the Town Council. Four developers expressed an interest in the project. Hallkeen was the best match for the Town since they have worked on several projects similar to what Vernon is looking for. Information regarding Hallkeen was shared with Town Council Members. Next steps include: receiving conceptual plans from the developer, the developer needs to lock up acquisition of property and meet with owners, and meet with investors. The Rockville Downtown Association will continue to serve as a liaison to the Boards and Commissions regarding the progress. They will invite Hallkeen to join them at the meetings with the Boards and Commissions and eventually have a public meeting. Mayor McCoy requested the RDA put in writing the roles of RDA, Hallkeen and expectations of the Town of Vernon and Town Council. In the next 120 days RDA expects to receive a revised concept from Hallkeen with their fiscal and physical possibilities, concept of financing and concept of participation. RDA is invited to attend a February 2009 Town Council meeting to provide an update.

D) CONSENT AGENDA ITEMS:

- C** **1.** Request for Tax Refunds — Fiscal Year 2008-2009.
- C** **2.** Request that the Town Council approve budget amendment(s) 3 & 4 for fiscal year 2008-2009 as provided by James Luddecke, Finance Officer.
- C** **3.** Request that the Town Council approve Gary Leavitt, 173 Tallwood Drive, Vernon, Connecticut (D) as regular member of Water Pollution Control Authority.
- C** **4.** Request that the Town Council approve Daniel Robertson, 3 Saddlegate Lane, Vernon, Connecticut (D) as an alternate member of the Design Review Advisory Commission.
- C** **5.** Request that the Town Council approve the appointment of Lucas M. Watson, 100 West Street, Apt. 306, Vernon, Connecticut (D) as a regular member of the Vernon Traffic Authority.
- C** **6.** Request that the Town Council authorize the preparation, printing and submission of material concerning the Phoenix Street Bridge and the Talcottville Main Street Bridge

Bond Package.

Council Member Motola, seconded by Council Member Anderson made a motion to approve the consent agenda items as presented. Council Member Motola pulled consent agenda item #2, Council Member Schaefer pulled consent agenda item #6. Motion to approve consent agenda items 1, 3, 4 and 5 as presented carried unanimously.

NEW BUSINESS (CONSENT ITEMS)

1. **Request for Tax Refunds — Prior Years and Current Year. (Memorandum from Carol S. Nelson, Collector of Revenue, dated October 10, 2008 to John Ward, Interim Town Administrator, is in the Council packet.)**

PROPOSED MOTION:

THE TOWN COUNCIL APPROVES EIGHTEEN (18) TAX REFUNDS FOR THE CURRENT FISCAL YEAR IN THE AMOUNT OF \$5776.90 AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE, DATED OCTOBER 10, 2008 TO THE INTERIM TOWN ADMINISTRATOR.

Council Member Motola, seconded by Council Member Anderson made a motion to approve the request for Tax Refunds – Prior Years and Current Year in the amount of \$5776.90. Motion carried unanimously.

2. **Request that the Town Council approve budget amendment(s) #3 & 4 for fiscal year 2008 — 2009 as provided by James Luddecke, Finance Officer. (A copy of budget amendment requests # 3& 5 are included in the Council packet.)**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST(S) #3 & 4 FOR FISCAL YEAR 2008-2009 AS PRESENTED BY JIM LUDDECKE THE FINANCE OFFICER.

Council Member Motola, seconded by Council Member Schaefer made a motion to approve the budget amendments #3 and 4 for fiscal year 2008-2009. The typo of budget amendment # 5 was changed to #4 during the reading of the motion. Discussion took place. Council Member Motola requested a summary page of the amendments with the next presentation. Council Member Winkler inquired about his request for a complete rendition of the 2007-2008 budget year. Mayor McCoy will continue to track the progress of this request with Mr. Luddecke. Motion carried unanimously.

3. **Request that the Town Council approve Gary Leavitt, 173 Tallwood Drive, Vernon, Connecticut (ID) regular member of the Water Pollution Control Authority with a term effective 10-21-2008 and expiring on 12-31-2010. (A copy of Mr. Leavitt's resume is included in the Council packet).**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF GARY LEAVITT, 173 TALLWOOD DRIVE, VERNON, CONNECTICUT (D) AS REGULAR MEMBER OF THE WATER POLLUTION CONTROL AUTHORITY FOR A TERM BEGINNING OCTOBER 21, 2008 AND EXPIRING ON DECEMBER 31, 2010, DUE TO THE RESIGNATION OF DAVID HATCH.

Council Member Motola, seconded by Council Member Anderson made a motion to approve the appointment of Gary Leavitt as a regular member of the Water Pollution Control Authority for a term beginning October 21, 2008 and expiring on December 31, 2010. Motion carried unanimously.

4. **Request that the Town Council approve Daniel Robertson, 3 Saddlegate Lane, Vernon, Connecticut (ID) as an alternate member of the Design Review Advisory Commission.** (A copy of Mr. Robertson's resume is included in the Council packet).

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF DANIEL ROBERTSON, 3 SADDLEGATE LANE, VERNON, CONNECTICUT (ID), AS AN ALTERNATE MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION FOR A TERM BEGINNING ON OCTOBER 21, 2008 AND EXPIRING ON DECEMBER 31, 2011, DUE TO THE RESIGNATION OF BRUCE KELLOGG.

Council Member Motola, seconded by Council Member Anderson made a motion to approve the appointment of Daniel Robertson as an alternate member of the Design Review Advisory Commission for a term beginning on October 21, 2008 and expiring on December 31, 2011. Motion carried unanimously.

5. **Request that the Town Council approve the appointment of Lucas M. Watson, 100 West Street, Apt. 306, Vernon, Connecticut (D) as a regular member of Vernon Traffic Authority.** (A copy of Mr. Watson's resume is included in the Council packet).

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF LUCAS M. WATSON, 100 WEST STREET, APT. 306, VERNON, CONNECTICUT (D) AS A REGULAR MEMBER OF VERNON TRAFFIC AUTHORITY FOR A TERM TO BEGIN ON 10-21-08 AND EXPIRES FEBRUARY 20, 2011, DUE TO THE EXPIRING TERM OF VICKI WHITE.

Council Member Motola, seconded by Council Member Anderson made a motion to approve the appointment of Lucas M. Watson as a regular member of the Vernon Traffic Authority for a term to begin on October 21, 2008, expiring on February 20, 2011. Motion carried unanimously.

6. **Request that the Town Council authorize the preparation and printing of material concerning the Phoenix Street Bridge and the Talcottville Main Street Bridge Bond Package.** (A copy of the Text as outlined by Jim Luddecke, Town of Vernon Finance Director is included in the Council packet).

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE PREPARATION, PRINTING AND SUBMISSION OF MATERIAL CONCERNING THE PHOENIX STREET AND MAIN STREET BRIDGE PROJECT REFERENDUM QUESTIONS INCLUDING BUT NOT LIMITED TO EXPLANATORY TEXT SUBJECT TO THE APPROVAL OF THE MUNICIPAL ATTORNEY PURSUANT TO CONNECTICUT GENERAL STATUTE 9-369(B).

Council Member Motola, seconded by Council Member Etre made a motion to authorize the preparation and printing of material concerning the Phoenix Street Bridge and the Talcottville Main Street Bridge bond package. Discussion took place. Council Member Anderson made a motion to move the question, Council Members Winkler, Fox, Herold, Motola and Schaefer opposed, motion failed. Residents who sent in absentee ballots prior to the completion of the materials will receive a copy of the information in the mail. The materials will be posted in the newspapers, polling places and mailed with each absentee ballot. Motion carried, Council Member Schaefer abstained.

E) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

Council Member Campbell pulled informational item #1. He requested an agenda item be added to one of the November Town Council Meetings regarding the status of Vernon's financial situation. The request includes a round table discussion with Acting Town Administrator Ward

and certain Department heads to provide an update to Town Council Members regarding the current fiscal year (budgeted vs. actual expenditures), tax collections (budgeted vs. actual collections), a fiscal projection, fees received year to date, the Tax Assessor's update regarding the grand list, where the Town is with bonding activities, and the next issuance the Town Council will need to take.

Council Member Motola pulled informational item #5.

Motion carried unanimously to pull informational items #1 and 5.

F) PENDING BUSINESS:

1. **Update regarding the Registrar's decision to relocate District #2 from Maple Street School to Center 375.** (Letter of invitation from John Ward, Interim Town Administrator dated October 16, 2008 to the Registrars of Voters is included in the Council packet).

The Registrars of Voters are at training tonight for poll workers and couldn't attend tonight's meeting. A copy of their October 20, 2008 response letter and a draft of the cards that are being sent out were distributed to Council Members. Discussion took place. The Registrars will be invited to attend the next Town Council Meeting.

G) NEW BUSINESS:

1. **Request that the Town Council approve the Vernon Republican Town Committee's nomination of Sean O'Shea, (R) 40 Donnell Road, Vernon, Connecticut as Town Council member to replace the seat recently vacated by Diane Wheelock, Town Council member.** (A copy of a letter of recommendation by the Vernon Republican Town Committee, dated October 14, 2008, and a copy of Mr. O'Shea's resume are included in the Council packet.)

This item was completed before Citizens forum. See page 1 for details. Council Member Thomas, seconded by Council Member Etre made a motion to approve the appointment of Sean O'Shea as Town Council Member for a term effective October 21, 2008 and expiring November 8, 2009. Motion carried unanimously.

2. **Request that the Town Council approve the Resolution of Support — Authorizing the Mayor to Obtain State Funding for a Denitrification Study for the Water Pollution Control Facility.** (A copy of the grant materials as provided by Dave Ignatowicz, Director, of the Water Pollution Control Authority; and a copy of a memorandum from John D. Ward, Interim Town Administrator to Mayor Jason L. McCoy dated October 17, 2008 are included in the packet).

PROPOSED MOTION:

THE VERNON TOWN COUNCIL HEREBY RESOLVES THAT IT IS IN THE BEST INTEREST OF THE TOWN OF VERNON TO ENTER INTO CONTRACTS WITH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION. IN FURTHERANCE OF THIS RESOLUTION, JASON L. MCCOY, MAYOR OF THE TOWN OF VERNON IS DULY AUTHORIZED TO ENTER INTO AND SIGN SAID CONTRACTS ON BEHALF OF THE TOWN OF VERNON. THE MAYOR IS FURTHER AUTHORIZED TO PROVIDE SUCH ADDITIONAL INFORMATION AND EXECUTE SUCH OTHER DOCUMENTS AS MAY BE REQUIRED BY THE STATE OR FEDERAL GOVERNMENT IN CONNECTION WITH SAID CONTRACTS AND TO EXECUTE ANY AMENDMENTS, RESCISSIONS, AND REVISIONS, THERETO. THE TOWN CLERK IS AUTHORIZED TO IMPRESS THE SEAL OF THE TOWN OF VERNON ON ANY SUCH DOCUMENT, RESCISSION

OR REVISION.

Council Member Motola, seconded by Council Member Champagne made a motion to approve the Resolution of Support authorizing the Mayor to Obtain state funding for a denitrification study for the Water Pollution Control Facility. Director Ignatowicz presented information regarding the updated resolution needed to proceed with a feasibility study for Biological Nutrient Reduction at the WPCF. Discussion took place. Motion carried unanimously. Nancy Herold left the meeting prior to the vote at 9:55 PM.

3. **Request that the Town Council Approve the Solicitation of Competitive Bids for a Fixed Price Contract To Paint All of the Exterior Windows and Doors for the Senior Center Building, and the Exterior Windows and Doors on the Basement, First and Second Floors of the Vernon Town Hall to Match the existing colors on the Front Archway of the Senior Center, and the New Windows on the Third Floor of Town Hall.** (A copy of a memorandum and supplemental materials from Council member Mark Etre, dated October 7, 2008 and copy of a memorandum from John Ward, Interim Town Administrator, dated October 14, 2008, are included in the Council packet.)

PROPOSED MOTION:

THE TOWN OF VERNON WILL GO OUT FOR COMPETITIVE BIDS FOR A FIXED PRICE CONTRACT TO PAINT ALL OF THE EXTERIOR WINDOWS AND DOORS FOR BOTH THE ENTIRE SENIOR CENTER BUILDING AND THE EXTERIOR WINDOWS AND DOORS ON THE BASEMENT, FIRST AND SECOND FLOORS OF THE VERNON TOWN HALL. THE COLOR OF THE PAINT SHALL MATCH THE FRONT ARCHWAY RECENTLY PAINTED ON THE SENIOR CENTER AND THE NEW WINDOWS ON THE THIRD FLOOR OF THE TOWN HALL.

Nancy Herold returned to the meeting prior to the vote. Council Member Etre, seconded by Council Member Champagne made a motion to approve the solicitation of competitive bids for a fixed price contract to paint all exterior windows and doors for the Senior Center building, exterior windows and doors on the basement, first and second floors of the Vernon Town Hall to match the existing colors of the front archway of the Senior Center and new windows on the third floor of Town Hall. Discussion took place. Motion carried unanimously.

4. **Discussion regarding the Vernon Center Heights Neighborhood Petition.** (A copy of the petition dated 08-23-08; a copy of a letter to the Mayor from Kenneth Poliquin dated 09-23-08; Agenda request from Marie A. Herbst, Town Council member, dated 10-01-08; a copy of a letter to Marie Herbst, Town Council member from John D. Ward, Interim Town Administrator dated 10-03-08 are included in your packet.)

PROPOSED MOTION

None

This item was pulled from the agenda due to Council Member Herbst's absence. This will be placed as a pending item on the next agenda.

H) **INTRODUCTION OF ORDINANCES:**
None

I) **ACTION ON ORDINANCES PREVIOUSLY PRESENTED:**
None

J) **DISCUSSION OF ADDITIONAL AGENDA ITEMS:**

Informational item #1: Mayor McCoy informed the Town Council that Senator Dodd's office had responded that they received the letter and will respond.

Informational item #5: Council Member Motola requested Town Council Members provide Mayor McCoy with ideas on honoring Diane Wheelock for her years of service to the town. This will be placed on the next Town Council meeting agenda.

K) ADOPTION OF MINUTES:

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 7, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Champagne made a motion to approve the minutes of the regular Town Council meeting of October 7, 2008. Motion carried, Council Members O'Shea and Herold abstained.

L) EXECUTIVE SESSION:

CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT (CONNECTICUT GENERAL STATUTE 1-200 (6)(B), THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING A SETTLEMENT ON WORKER'S COMPENSATION CLAIM UNDER CONN. GEN. STATUTES 7-314a ENTITLED: DAMATO vs. TOWN OF VERNON, AND THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN WARD, INTERIM TOWN ADMINISTRATOR, DANIEL SULLIVAN, HUMAN RESOURCE DIRECTOR, JIM LUDDECKE, FINANCE OFFICER, AND ATTORNEY JONATHAN REIK, McGANN, BARTLETT & BROWN.

Council Member Motola, seconded by Council Member Schaefer made a motion to go into executive session with invited members regarding a settlement on workers compensation claim entitled Damato vs Town of Vernon. Motion carried unanimously.

Council Member Fox, seconded by Council Member Thomas made a motion to extend curfew until the close of business. Motion carried unanimously.

EXECUTIVE SESSION – Present: Jason McCoy, Mayor, Council Members Daniel Anderson, Daniel Champagne, Michael Winkler, Polly Schaeffer, Bill Fox, Mark Etre, Harry Thomas, Sean O'Shea, Brian Motola, Bill Campbell, John Ward, Interim Town Administrator, Daniel Sullivan, Human Resources, Jim Luddecke and Attorney Jonathan Reik. (Council Member Nancy Herold did not attend)

Exit Executive Session (10:40 PM) Council Member Motola, seconded by Council Member Schaefer made a motion to go out of Executive Session. Motion carried unanimously.

Return to Public Session (10:44)

Present: Jason McCoy, Mayor, Council Members, Daniel Anderson, Daniel Champagne, Michael Winkler, Polly Schaeffer, Bill Fox, Mark Etre, Harry Thomas, Sean O'Shea, Brian Motola, Bill Campbell, John Ward, Interim Town Administrator.

Council Member Motola, seconded by Council Member Schaefer made the following motion:

PROPOSED MOTION (for public session)

THE TOWN COUNCIL HEREBY MOVES TO AUTHORIZE THE SETTLEMENT OF THE WORKER'S COMPENSATION CLAIM BROUGHT BY MR. D'AMATO AGAINST THE TOWN OF VERNON UPON THE TERMS AND CONDITIONS AS DISCUSSED IN EXECUTIVE SESSION. DETAILS OF SETTLEMENT TO BE MADE PUBLIC UPON ACCEPTANCE BY ALL

PARTIES AND APPROVAL BY THE WORKERS' COMPENSATION COMMISSIONER.

Motion carried unanimously among the ten council members present.

M) INFORMATIONAL ITEMS:

1. Letter to Senator Christopher Dodd, dated October 9, 2008 from Mayor Jason L. McCoy inquiring about initiatives for Towns coping with Economic Crisis.
2. CRCOG SAFE ROUTES July/August 2008 Newsletter featuring Skinner Road School.
3. Informational copy of Bolton Lakes Water Pollution Control Authority membership update. (John D. Ward to be added at the next update).
4. Monthly reports for July/August and September from Youth Services Bureau Director Alan Slobodien.
5. Resignation letter for Diane Wheelock, Town Council dated October 15, 2008.
6. Vernon Police Department Monthly Report for September 2008.
7. Copy of "Meeting Cancellation Notice" for November 4, 2008 Regular Town Council Meeting.

ADJOURNMENT (10:46 PM)

Council Member Fox, seconded by Council Member Thomas made a motion to adjourn the meeting. Motion carried unanimously.

Received:

Approved:

Respectfully Submitted,

Jill Kentfield
Recording Secretary